

# **WISCONSIN LEGISLATIVE COUNCIL STAFF**

## ***RULES CLEARINGHOUSE***

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## **CLEARINGHOUSE RULE 99-080**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

### **2. Form, Style and Placement in Administrative Code**

The stricken language in s. Comm 83.03 (2) should reflect the current rule. Therefore, “~~not~~” should be inserted after “~~but~~.”

### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. In addition to the changes proposed in s. Comm 83.03 (2), the rule should either delete or amend s. Comm 83.01 (2) (b). This rule provision, which is part of a statement of purpose for ch. Comm 83, establishes as a “basic principle” that private sewage systems must be abandoned when a public sewer is available.

b. As amended by the rule, the remaining two sentences in s. Comm 83.03 (2) determine how “abandoned” treatment tanks and seepage pits must be treated. However, nothing in the remainder of ch. Comm 83 determines when a treatment tank or seepage pit is abandoned. It may not always be clear when abandonment occurs, such as when a treatment tank is temporarily taken out of service. Also, as drafted, the rule would apparently permit a property owner, unless ordered to abandon a treatment tank or seepage pit, to continue using the private sewage system in addition to the public sewer.